

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: September 19, 2007

CALLED TO ORDER: 5:30 p.m.

ADJOURNED: 6:10 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chair
Sherron Franklin
Lynn McWhirter
William Oliver
Cherrish Pryor
Lincoln Plowman
Mike Speedy

Absent Members

Vernon Brown

AGENDA

PROPOSAL NO. 393, 2007 - transfers \$310,000 in the 2007 Budget of the Marion County Coroner (County General Fund) to fund the salaries and benefits of seven employees who work in the Coroner's Office in support of the forensic pathologists
"Do Pass" Vote: 7-0

PROPOSAL NO. 394, 2007 - transfers \$17,567 in the 2007 Budget of the Marion County Justice Agency (Drug Free Community Fund) to the Marion Superior Court (Drug Free Community Fund) to fund drug screening and other services provided by the Marion County Drug Court and to partially fund the salary of a Community Court Resource Coordinator
"Do Pass" Vote: 7-0

PROPOSAL NO. 395, 2007 - approves an appropriation of \$45,217 in the 2007 Budget of the Marion County Community Corrections (State and Federal Grants Fund) for the purpose of a substance abuse treatment program that will be provided to offenders in the Community Corrections Center, financed by a grant from the Indiana Criminal Justice Institute
"Do Pass" Vote: 7-0

PROPOSAL NO. 396, 2007 - approves an appropriation of \$762,500 in the 2007 Budget of the Marion County Community Corrections (State and Federal Grants Fund) to cover the costs of 100 work release beds in the Duvall Residential Work Release Center, financed by grant funds from the Indiana Department of Corrections

“Do Pass”

Vote: 7-0

PROPOSAL NO. 397, 2007 - amends Chapter 281 of the Code, Sec. 281-323, County Officials, Boards and Commissions, Division II, Court Services, to provide for payment of parking fees incurred by jurors pursuant to IC 33-37-10-1

“Do Pass”

Vote: 7-0

PROPOSAL NO. 398, 2007 - transfers \$45,000 in the 2007 Budget of the Marion County Forensic Services Agency (County General Fund) to purchase laboratory supplies

“Do Pass”

Vote: 7-0

PROPOSAL NO. 399, 2007 - appropriates \$151,020 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to make improvements within the Marion County Crime Lab by upgrading computer software and adding equipment for the Biology Unit, financed by a U.S. Department of Justice grant administered by the National Institute of Justice

“Do Pass”

Vote: 7-0

PROPOSAL NO. 400, 2007 - transfers \$25,000 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to allow the outsourcing of casework to approved/accredited private labs

“Do Pass”

Vote: 7-0

PROPOSAL NO. 401, 2007 - appropriates \$63,400 in the 2007 Budget of the Marion Superior Court (State and Federal Grants Fund) to fund contractual services and supplies for technology, a Family Court project, foreign language interpretation, and Traffic Court, funded by grants from the Indiana Criminal Justice Institute, Indiana Supreme Court and Indianapolis Bar Foundation

“Do Pass”

Vote: 7-0

PROPOSAL NO. 402, 2007 - transfers \$61,058 in the 2007 Budget of the Marion Superior Court (Diversion Fund) to cover expenses for salaries which were incorrectly placed in the wrong character during budget preparation

“Do Pass”

Vote: 7-0

PROPOSAL NO. 403, 2007 - appropriates \$53,858 in the 2007 Budget of the Marion Superior Court (Drug Treatment Diversion Program Fund) for the Drug Treatment Diversion Program, financed by a grant from the Indiana Criminal Justice Institute

“Do Pass”

Vote: 7-0

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday September 19, 2007. Chair Mary Moriarty Adams called the meeting to order at 5:30 p.m. with the following members present: Sherron Franklin, Lynn McWhirter, Lincoln Plowman, Cherrish Pryor, and Mike Speedy. Absent was Vernon Brown.

PROPOSAL NO. 393, 2007 - transfers \$310,000 in the 2007 Budget of the Marion County Coroner (County General Fund) to fund the salaries and benefits of seven employees who work in the Coroner's Office in support of the forensic pathologists

Hope Tribble, Office of Finance and Management (OFM), asked to move Proposal No. 393, 2007 to the bottom of the agenda until a representative of the Coroner's Office arrives.

PROPOSAL NO. 394, 2007 - transfers \$17,567 in the 2007 Budget of the Marion County Justice Agency (Drug Free Community Fund) to the Marion Superior Court (Drug Free Community Fund) to fund drug screening and other services provided by the Marion County Drug Court and to partially fund the salary of a Community Court Resource Coordinator

Steve Dyson, Fiscal Deputy for the Marion County Justice Agency (MCJA), said the Criminal Justice Planning Council (CJPC) recommended funding for several different programs out of the Drug Free Community Fund. At that time there was \$22,500 in which spending was to be determined, since that time it has been determined how funds will be spent and the \$17,567 is a part of the \$22,500. He said the reason for the transfer is the MCJA administers the funds and pays all the bills, and when a county agency receives some of the money, they go ahead and transfer the money into the county agency's budget from MCJA's budget. Therefore, the \$17,567 is simply a move from MCJA's budget to the court's budget with no new money or additional funding.

Councillor Speedy asked who will be tested for drugs. Sue Patterson, Director of Finances for the Court Services Agency, said non-violent offenders referred to the program will be tested. Councillor Speedy asked if substance abuse was involved in the original offense. Ms. Patterson replied in the affirmative and said it usually is a first time offense and non-violent.

Councillor Pryor moved, seconded by Councillor Oliver, to send Proposal No. 394, 2007 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

Chair Moriarty Adams asked for consent to hear Proposal Nos. 395 and 396, 2007 together. Consent was given.

PROPOSAL NO. 395, 2007 - approves an appropriation of \$45,217 in the 2007 Budget of the Marion County Community Corrections (State and Federal Grants Fund) for the purpose of a substance abuse treatment program that will be provided to offenders in the Community Corrections Center, financed by a grant from the Indiana Criminal Justice Institute

Brian Barton, Executive Director of Community Corrections, said the funds will be used for a substance abuse program that has been run out of the Community Corrections Center. He said the program is provided by FairBanks through a bid process and they are on their second year. The goal is to introduce offenders to the treatment program with an emphasis on stopping relapses.

Councillor Speedy asked if this proposal is requesting approval to access funding through a grant. Mr. Barton replied in the affirmative. Councillor Speedy asked is it anticipated that Community Corrections will always receive this grant. Mr. Barton said they have received this grant for five years from the Criminal Justice Institute. Community Corrections provides a local match from user fees, instead of tax dollars.

PROPOSAL NO. 396, 2007 - approves an appropriation of \$762,500 in the 2007 Budget of the Marion County Community Corrections (State and Federal Grants Fund) to cover the costs of 100 work release beds in the Duvall Residential Work Release Center, financed by grant funds from the Indiana Department of Corrections

Mr. Barton said the funds come from an award from the Department of Corrections (DOC) for 100 additional work release beds. He said for years the agency has needed additional beds to avoid backlog and this is a substantial investment by DOC. The 100 beds will be used in the Duvall Work Release Center which opens next month. Mr. Barton said that this is an abbreviated award for ten months to be used from September through June 2008.

Councillor Oliver asked who will be using the beds. Mr. Barton said the 100 beds will be used for post adjudicated individuals, which would not be fit for prison sentence. He added that the beds will be used for non-violent felonies (drug, alcohol, and theft related crimes).

Councillor McWhirter asked if the 100 beds will bring the center to full capacity. Mr. Barton said the 100 beds are just one piece of the puzzle. Out of the 350 beds; 80 beds have been dedicated for re-entry, 100 beds will be funded by County for targeted offenders, and 170 beds will be for post adjudicated offenders.

Councillor Franklin moved, seconded by Councillor Oliver, to send Proposal Nos. 395 and 396 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 397, 2007 - amends Chapter 281 of the Code, Sec. 281-323, County Officials, Boards and Commissions, Division II, Court Services, to provide for payment of parking fees incurred by jurors pursuant to IC 33-37-10-1

Glenn Lawrence, Court Administrator, said they had asked the General Assembly to amend the cost of juries and witnesses to provide for parking rather than paying mileage. He said at that time they thought they would be able to negotiate fairly reasonable parking downtown and have not been successful. The cost between paying mileage and parking are about equal; parking may be more because the increase in parking cost. Mr. Lawrence said they are asking to add parking fees or mileage to the code and then they can make the determination on which one to pay.

Councillor McWhirter asked if the parking fees are for someone that has been selected as a juror and not someone coming down for the jury pool. Mr. Lawrence said they will be paying for all jurors called and they pay more for those who stay.

Councillor Pryor asked how much it costs to pay mileage. Mr. Lawrence said it is in the range of \$85,000 a year. Councillor Pryor asked if the cost would be the same for parking as for mileage. Mr. Lawrence said their goal was to reserve 100 parking spaces, but he has not been able to find anything less than \$75.00 a month.

Councillor Pryor moved, seconded by Councillor Franklin to send Proposal No. 397, 2007 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 7-0.

Chair Moriarty Adams asked for consent to hear Proposal Nos. 398, 399 and 400, 2007 together. Consent was given.

PROPOSAL NO. 398, 2007 - transfers \$45,000 in the 2007 Budget of the Marion County Forensic Services Agency (County General Fund) to purchase laboratory supplies

Mike Medler, Director of Forensic Services Agency, said they need to transfer \$25,000 from Character 01 and \$20,000 from Character 03 because their validation in the DNA lab cost \$16 a sample to validate. He said two staff members also need to be trained to validate and they are running short in that fund.

PROPOSAL NO. 399, 2007 - appropriates \$151,020 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to make improvements within the Marion County Crime Lab by upgrading computer software and adding equipment for the Biology Unit, financed by a U.S. Department of Justice grant administered by the National Institute of Justice

Mr. Medler said the \$151,020 is their 2006 DNA enhancement grant from the National Institute of Justice. He said the reason they are presenting now is that the funding was delayed until the 2005 money was spent. Mr. Medler explained that the 2005 grant was in collaboration with the Indiana State Police, and they have to wait on each other to spend the money.

PROPOSAL NO. 400, 2007 - transfers \$25,000 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to allow the outsourcing of casework to approved/accredited private labs

Mr. Medler said they are asking to move money into Character 03. They currently have money allocated in Character 01 for overtime costs and there is more budgeted than what is needed. He said the money needs to be moved to outsourcing to move cases in the backlog.

Chair Moriarty Adams asked how many cases are in the backlog. Mr. Medler said currently their total case number is 157 in serology and 53 DNA cases in backlog. He said he mentions the serology cases because some may qualify for DNA analysis.

Councillor Oliver asked how approved accredited labs work with prosecution in the criminal justice system. Mr. Medler said they can only outsource cases to an accredited lab, and they must meet certain standards by the federal government.

Councillor Plowman asked if the \$25,000 will allow them to get rid of the backlog, and if so, how long it will take. Mr. Medler said it depends on the case numbers once they get their three staff members through training. He said the process should speed up by two to three months.

Councillor Speedy asked what supplies are needed with the \$45,000. Mr. Medler said they need profiler kits and one of those kits cost \$2,179. Councillor Speedy asked if the kits are one-time use. Mr. Medler replied in the affirmative. Councillor Speedy asked what is investigated with the kits. Mr. Medler said the kits are part of the process to identify a DNA profile. Councillor Speedy asked about taking the funds from Personal Services. Mr. Medler said they are able to use this money because there was a vacancy not filled and there had been some resignations.

Councillor Oliver moved, seconded by Councillor Pryor, to send Proposal Nos. 398, 399, and 400, 2007 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 7-0.

Chair Moriarty Adams asked for consent to hear Proposal Nos. 401, 402, and 403, 2007 together. Consent was given.

Ms. Tribble said a technical amendment needs to be made to the digest in Proposal No. 403, 2007, to read financed by fund balance.

PROPOSAL NO. 401, 2007 - appropriates \$63,400 in the 2007 Budget of the Marion Superior Court (State and Federal Grants Fund) to fund contractual services and supplies for technology, a Family Court project, foreign language interpretation, and Traffic Court, funded by grants from the Indiana Criminal Justice Institute, Indiana Supreme Court and Indianapolis Bar Foundation

Valarie Washington, Assistant Financial Manager for Court Administration, said there are four parts to this proposal. The first grant is in the amount of \$10,000 from the Indiana Criminal Justice Institute and the funding will be used to create a module within their INFORMER software program that will allow judicial officers to easily place defendants on community service. Once they are placed on community service it will be easy to do web based applications to check their status in completing the service. The next grant is the Family Court Project in the amount of \$40,000 and this project is a coordinated approach for families that have multiple cases in the Marion Court System. The third grant is the Foreign Language Interpreter Grant in the amount of \$11,000 and the funding will be used for contractual interpreters in the courts. She said the funding is very much appreciated because they spend \$25 million annually in providing interpreters that speak various languages. The fourth grant is a Traffic Court Grant in the amount of \$2,400 to produce a broadcast video that will play at Traffic Court to inform defendants of their rights and more information on the process. Ms. Washington said there are no Full-Time Equivalents (FTEs) associated with these grants. The JAG Technology Grant has a 10% match requirement; however, the other three grants have no local match requirements.

PROPOSAL NO. 402, 2007 - transfers \$61,058 in the 2007 Budget of the Marion Superior Court (Diversion Fund) to cover expenses for salaries which were incorrectly placed in the wrong character during budget preparation

Ms. Washington said they need to transfer \$61,058 from Character 03 to Character 01. She said the money was incorrectly placed in the wrong Character when they were setting up their 2007 budget.

Councillor Plowman asked when they discovered the money was placed in the wrong Character. Ms. Washington said they discovered the mistake while working on the budget; however, they were not able to introduce the ordinance early in the year due to budget.

PROPOSAL NO. 403, 2007 - appropriates \$53,858 in the 2007 Budget of the Marion Superior Court (Drug Treatment Diversion Program Fund) for the Drug Treatment Diversion Program, financed by a grant from the Indiana Criminal Justice Institute

Ms. Washington said this funding will be used to meet part of their local match requirement for their Indiana Criminal Justice Institute Drug Treatment Court Grant. She said the current fund balance is \$67,361 and is to help fund local drug treatment court.

Councillor Plowman asked if they have any statistics on the success of the drug treatment programs. Ms. Washington said they are working on an application through the judicial center to get statistics and can provide that information at a later date.

Councillor Pryor moved, seconded by Councillor Franklin, to send Proposal Nos. 401, 402, and 403, 2007 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 393, 2007 - transfers \$310,000 in the 2007 Budget of the Marion County Coroner (County General Fund) to fund the salaries and benefits of seven employees who work in the Coroner's Office in support of the forensic pathologists

Jeff Seidenstein, Budget Manager, OFM, said this proposal is transferring \$310,000 from Character 03 to Character 01 to fund technicians and a medical transcriptionist who assist the pathologists that are now contracted on an individual basis. He said the technicians and transcriptionist are now employees of the Coroner's Office. He said the funds need to be transferred to continue to pay these staff members.

Councillor McWhirter asked these staff members are working for someone else. Mr. Seidenstein said prior to this year, they were employed by Forensic Pathologists Inc., but the contract was terminated by the Coroner. He said the Coroner entered into new personal service contracts with three of the pathologists with the company. Mr. Seidenstein clarified that the pathologists are on a contract and the employees that assist them are employed by the county and work in the Coroner's Office. Councillor McWhirter asked if all seven of the positions are filled at this time. Mr. Seidenstein said they may have one vacancy, but he is not sure.

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Councillor Oliver moved, seconded by Councillor Franklin, to send Proposal No. 393, 2007 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 7-0.

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 6:10 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chair
Public Safety and Criminal Justice Committee

MMA/as